

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:00 A.M., WEDNESDAY, MARCH 16, 2005

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

PEOPLE'S DOCKET

No. 98597 - In re Christopher K., a Minor (People State of Illinois, appellant, v. Christopher K., appellee).

Motion by Juvenile Law Center, The Center on Children and Families, The Central Juvenile Defender Center, The ChildLaw Center, The Children's Law Center, Inc., The Criminal & Juvenile Justice Project, The Criminal Justice Institute, The Georgetown Law Center Juvenile Justice Clinic, The Juvenile Justice Center of Suffolk University Law School, The Juvenile Justice Initiative of Illinois, The Mid-Atlantic Juvenile Defender Center, The Midwest Juvenile Defender Center, The National Association of Counsel for Children, The National Juvenile Defender Center, Physicians for Human Rights, The Sentencing Project, Voices for America's Children, and the Youth Law Center for leave to admit Marsha L. Levick pro hac vice for the purpose of participating as counsel for amici curiae in support of appellee. Motion allowed.

Order entered by Chief Justice McMorrow.

Motion by Juvenile Law Center, The Center on Children and Families, The Central Juvenile Defender Center, The ChildLaw Center, The Children's Law Center, Inc., The Criminal & Juvenile Justice Project, The Criminal Justice Institute. The Georgetown Law Center Juvenile Justice Clinic, The Juvenile Justice Center of Suffolk University Law School, The Juvenile Justice Initiative of Illinois, The Mid-Atlantic Juvenile Defender Center, The Midwest Juvenile Defender Center, The National Association of Counsel for Children, The National Juvenile Defender Center, Physicians for Human Rights, The Sentencing Project, Voices for America's Children, and The Youth Law Center for leave to file a brief as amici curiae instantan in support of appellee. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 100218 - People State of Illinois et al., appellees, v. Gregory Seaphus, appellant.

Motion by appellant, pro se, for direct appeal to this Court pursuant to Supreme Court Rule 302(b).

CIVIL DOCKET

No. 99441 - C. August Taddeo, appellee, v. The Board of Trustees of the Illinois Municipal Retirement Fund et al., etc., appellants.

Unopposed motion by Robert L. Grever for leave to file a brief as amicus curiae in support of appellee. Motion allowed.

Order entered by Chief Justice McMorrow.

LEAVE TO APPEAL DOCKET

No. 99639 - People State of Illinois, respondent, v. Sergio Torres, petitioner.

Motion by petitioner, pro se, for a 60 day extension of time to and including April 25, 2005, for filing supplemental brief to petition for leave to appeal. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 100175 - People State of Illinois, respondent, v. David Cady, petitioner.

Motion by petitioner, pro se, for leave to supplement his motion for leave to file late petition for leave to appeal by clarifying his preference to appeal solely his technical dismissal(with the option to appeal his substantive issues later) and remand to the Appellate Court for further proceedings or, in the alternative, to appeal his substantive issues now, but in any event, for leave to submit three of his appellate motions instant. Motion denied.

Order entered by Chief Justice McMorrow.

SUPREME COURT OF ILLINOIS

WEDNESDAY, MARCH 16, 2005

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 91494 - Michael E. Avery et al., etc., appellees, v. State Farm Mutual Automobile Insurance Company, appellant.

Motion by appellees for conditional non-participation. Motion denied.

Order entered by the Court.

Thomas and Karmeier, JJ., took no part.

Motion by appellees for leave to file memorandum instant in response to appellant's opposition to appellees' motion for conditional non-participation. Motion allowed.

Order entered by the Court.

Thomas and Karmeier, JJ., took no part.

No. 94144 - Christopher K. Gridley, etc., appellee, v. State Farm Mutual Automobile Insurance Company, appellant.

Motion by appellee to dismiss appeal on the ground of mootness. Motion denied.

Order entered by the Court.

No. 99141 - People State of Illinois, respondent, v. Willie Pole, petitioner.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the Court's order entered on January 11, 2005, and to remand to the Circuit Court of Cook County with instructions to vacate the summary dismissal of petitioner's second pro se post-conviction petition and for certain other relief. Motion denied.

Order entered by the Court.

No. 99477 - People State of Illinois, petitioner, v. Wesley Zollicoffer, respondent.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion allowed. The motion for reconsideration is allowed. The Court's order of January 26, 2005, denying the petition for leave to appeal is vacated. The petition for leave to appeal remains pending.

Order entered by the Court.

No. 99682 - Equistar Chemicals, L.P., respondent, v. BMW Constructors, Inc., petitioner.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for appeal as a matter of right or leave to appeal. Motion denied.

Order entered by the Court.

No. 99780 - Sheldon L. Baskin, as the Independent Executor of the Estate of Neil Nemorovski, appellee, v. Minnesota Life Insurance Company, appellant.

Motion by appellee for sanctions for filing excessive motions to reconsider and a frivolous appeal to the Supreme Court. Motion denied.

Order entered by the Court.

PEOPLE'S DOCKET

No. 100161 - Maisha Hamilton-Bennett, movant, v. Hon. Robert P. Cahill, Justice of the Illinois Appellate Court, et al., etc., respondents.

Motion by movant for a supervisory order. Motion denied without prejudice to refile emergency motion for supervisory order upon expiration of the maximum sentence.

Order entered by the Court.

CIVIL DOCKET

No. 98351 - Philip N. Crusius, etc., appellant, v. Illinois Gaming Board et al., etc., appellees.

Motion by State Defendants to realign as appellants and to file a substitute brief which would designate the State Defendants as appellants rather than appellees. Motion allowed.

Order entered by the Court.

Thomas, J., took no part.

Motion by appellant for leave to reply to "limited objection" filed by Emerald Casino, Inc., and the Official Committee of Unsecured Creditors of Emerald Casino, Inc. to the State Defendants motion to realign as appellants and to substitute brief. Motion allowed.

Order entered by the Court.

Thomas, J., took no part.

Motion by Village of Rosemont to file surreply instanter in opposition of State Defendants' motion to realign as appellants and to substitute brief. Motion allowed.

Order entered by the Court.

Thomas, J., took no part.

No. 99979 - Illinois Tool Works, Inc., movant, v. Kajima Construction Services et al., respondents.

Motion by movant to transfer case No. 04 L 000973, Industrial Developments International, Inc., v. Formation Architects & Planners, Inc., et al., from DuPage County to Cook County and to consolidate it with Cook County case No. 04 L 001603, Illinois Tool Works, Inc., v. Kajima Construction Services et al. Motion denied.

Order entered by the Court.

No. 100030 - Industrial Developments International, Inc., et al., respondents, v. Formations Architects & Planners, Inc., movant.

Motion by movant to transfer case No. 04 L 001603, Illinois Tool Works, Inc., v. Kajima Construction Services et al., from Cook County to DuPage County and to consolidate it with DuPage County case No. 04 L 000973, Industrial Developments International, Inc., v. Formation Architects & Planners, Inc., et al.

Motion allowed in part. Pursuant to Supreme Court Rule 384, Illinois Tool Works, Inc. v. Kajima Construction Services, et al., Cook County No. 04 L 001603, is transferred to DuPage County and consolidated with Industrial Developments International, Inc. v. Formations Architects & Planners Inc., et al., DuPage County No. 04 L 000973. This consolidation is for discovery and pretrial proceedings only.

Order entered by the Court.

No. 100038 - Industrial Developments International, Inc., et al., respondents, v. Formations Architects & Planners, Inc., et al. (Goss Plumbing, movant).

Motion by movant to transfer and consolidate actions pending in DuPage County and Cook County. Motion denied as moot.

Order entered by the Court.

No. 100062 - Michelle Markiewicz Qualkinbush, movant, v. Hon. Anne M. Burke, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to designate its opinion in Qualkinbush v. Skubisz, No. 1-03-2528 (December 28, 2004), for publication in its entirety.

Order entered by the Court.

No. 100064 - Bank One N.A., respondent, v. Michael A. Prate et al., etc., movants.

Motion by movant to transfer case No. 04 CH 440, Bank One, N.A., v. LaSalle Bank National Association et al., from Lake County to Cook County and to consolidate it with Cook County case No. 03 L 010779, Bank One, N.A. v. Michael A. Prate et al. Motion allowed.

Order entered by the Court.

No. 100091 - Albert D. Thomas, Jr., petitioner, v. Mary L. Thomas, respondent.

Motion by petitioner, pro se, for leave to file a petition for original writs of mandamus, prohibition, habeas corpus and capias ad respondendum. Motion denied.

Order entered by the Court.

No. 100116 - Russell Flick, movant, v. Hon. James A. Knecht, Justice of the Appellate Court, Fourth District, et al., etc., respondents.

Motion by movant for a supervisory order. Motion denied.

Order entered by the Court.

No. 100121 - Jackson National Life Insurance Company et al., movants, v. Hon. Timothy C. Evans, Chief Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movants for a supervisory order. Motion denied.

Order entered by the Court.

LEAVE TO APPEAL DOCKET

No. 99959 - Dena L. Jenkins, respondent, v. Jacqueline S. Lustig, etc., et al. (Lee J. Schuster, petitioner).

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by the Court.

No. 100008 - Mary Willaby, petitioner, v. Clara Bendersky, M.D., et al., etc., respondents.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by the Court.

No. 100065 - People State of Illinois, petitioner, v. Marcus West, respondent.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R. 20018 - In re: Law Offices of Joseph Mario Moreno & Associates, Ltd., movant.

Motion by movant for retroactive registration and renewal of registration. Motion allowed.

Order entered by the Court.

M.R. 20019 - In re: George C. Pontikes and Associates, P.C., movant.

Motion by movant for late filing of registration to engage in the practice of law as a professional corporation. Motion allowed.

Order entered by the Court.

M.R. 20020 - In re: John August Cook, P.C., movant.

Motion by movant for retroactive renewal of registration of John August Cook, P.C. Motion allowed.

Order entered by the Court.

M.R. 20032 - In re: Hunt & Associates, P.C., movant.

Motion by movant to allow retroactive renewal of Hunt & Associates, P.C.'s registration for calendar year 2005. Motion allowed.

Order entered by the Court.

M.R. 20036 - In re: Geraci, Arreola and Hernandez, L.L.C., petitioner.

Petition by petitioner for leave to renew original certificate retroactively for 2005. Petition allowed.

Order entered by the Court.

M.R. 20049 - In re: Richard D. Felice, P.C., movant.

Motion by movant for leave to file retroactive renewal for 2005. Motion allowed.

Order entered by the Court.

M.R. 20050 - In re: Michael J. Logan, Ltd., movant.

Motion by movant for leave to file retroactive application for certificate of registration for year 2005. Motion allowed.

Order entered by the Court.

M.R. 20063 - In re: Auler Law Offices, P.C., movant.

Motion of Auler Law Offices, P.C. for retroactive renewal of registration pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20065 - In re: Kenneth E. Poris, movant.

Motion by movant to reinstate certificate under Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20066 - In re: Johnson Law Group LLC, movant.

Motion by movant for leave to register under Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20067 - In re: Hinshaw & Culbertson, LLP, movant.

Motion of Hinshaw & Culbertson, LLP for retroactive renewal of certificate of registration number 9959 for the year 2005, pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20069 - In re: E. Paul Rustin, Ltd., movant.

Motion for E. Paul Rustin, Ltd. for retroactive renewal of registration pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20071 - In re: Mel Sloan, Attorney at Law, Ltd., movant.

Motion by movant to allow renewal of Certificate 1042 pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20072 - In re: Cohen Law Firm, P.C., movant.

Motion by movant for leave to file renewal of certificate of registration #7167 pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20073 - In re: Ronald A. Nyberg, Ltd., movant.

Motion for Ronald A. Nyberg, Ltd. for retroactive renewal of registration pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20074 - In re: Isadore M. Bernstein & Associates, P.C.,
movant.

Motion for Isadore M. Bernstein & Associates, P.C. for retroactive renewal of registration pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20075 - In re: Kinealy, Wilkens & Wilkens, a Professional Corporation, movant.

Motion by movant for leave to retroactively renew law firm registration for 2005 pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20079 - In re: Grund & Leavitt, P.C., movant.

Motion of Grund & Leavitt, P.C. for leave to renew its registration retroactively for year 2005 pursuant to Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20095 - In re: Michael R. Kuzel, Ltd., petitioner.

Petition by petitioner for leave to file late application of renewal of certificate for registration pursuant to Supreme Court Rule 721. Petition allowed.

Order entered by the Court.

M.R. 20097 - In re: W. Michael Fay, P.C., movant.

Motion to renew retroactively petitioner's certificate to engage in the practice of law as a professional corporation under Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

M.R. 20104 - In re: Avila & Tomic, LLC, movant.

Motion by movant to retroactively renew certificate of registration under Supreme Court Rule 721. Motion allowed.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, WEDNESDAY, MARCH 16, 2005

No. 98433 - People State of Illinois, appellee, v. Donald L. Lander, appellant. Appeal, Appellate Court, Third District.

Oral argument by Donna K. Kelly for appellant and by Russell K. Benton for appellee. Submitted. Agenda 7.

No. 98533 - In re Madison H., a Minor (People State of Illinois, appellant, v. Mandi H., appellee). Appeal, Appellate Court, Third District.

Oral argument by Karen J. Dimond for appellant and by Susan O'Neal Brosam for appellee. Submitted. Agenda 8.

No. 98887 - People State of Illinois, appellee, v. Christopher Henderson, appellant. Appeal, Appellate Court, First District.

Oral argument by Beth Herndobler for appellant and by Colleen M. Nevin for appellee. Submitted. Agenda 9.

No. 98927 - In re Faith B. et al., Minors (People State of Illinois, appellee, v. Perseta B., appellant). Appeal, Appellate Court, Second District.

Oral argument by Anna M. Wilhelmi for appellant and by Jan E. Hughes for appellee. Submitted. Agenda 10.